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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/311,148 05/13/99 MOTOYAMA

T 5244-0092-2

EXAMINER

022850 TM02/0911
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ART UNIT

PAPER NUMBER

2173

DATE MAILED:

09/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/311,148

Applicant(s)

MOTOYAMA ET AL.

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-5 20) ☐ Other:

DETAILED ACTION

Drawings

The drawings are objected to because

In figure 10, the drawing requires labels for # 600, 605.

In figure 11, the drawing requires labels for # 700, 705, 710 and 715. Correction is required.

Specification

The abstract of the disclosure is objected to because

- a. "as examples" should be deleted on line 4, page 33.
 - b. ",etc" should be deleted on line 5 and 10, page 33.
 - c. "In the examples" should be deleted on line 6, page 33.
- Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 14, 21 and 28 are rejected under 35 U.S.C. 112, second paragraph, as multiple dependent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-3, 5-10, 12-17, 19-24 and 26-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Wygodny et al.[U.S. 6,202,199].

As to claims 1, 8, 15 and 22, Wygodny et al. discloses an interface of a target application, the interface comprising a plurality of operations to be selected by a user (figure 2, column 5, lines 1-23 and column 7, lines 11-38), a monitoring unit configured to monitor data of selecting of the plurality of operations of the interface by the user, and to generate a log of the monitored data (figure 1C, 122, column 2, lines 52-67), and a communicating device configured to communicate the log of the monitored data (column 11, lines 52-67 and column 12, lines 1-6).

As to claims 2, 9, 16 and 23, Wygodny et al. shows the target application is a software application and the interface is a display screen of the software application (column 8, lines 21-32).

As to claims 3, 10, 17 and 24, Wygodny et al. teaches the target application is an image forming device and the interface is an operation panel of the image forming device (column 9, lines 9-61 and column 28, lines 28-38).

As to claims 5, 12, 19 and 26, Wygodny et al. also teaches the communicating device sends the log of the monitored data when the user exits the target application (column 5, lines 25-53).

As to claims 6, 13, 20 and 27, Wygodny et al. also shows a setting unit configured to set

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a number of sessions of the target application to be executed by the user prior to the communicating device communicating the log of the monitored data (column 20, lines 53-56 and column 30, lines 21-33).

As to claims 7, 14, 21 and 28, Wygodny et al. discloses the communicating device communicates the log of the monitored data by Internet mail (column 15, lines 17-30 and column 26, lines 31-43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 11, 18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wygodny et al in view of Halviatti et al. [U.S.5,790,117].

As to claims 4, 11, 18 and 25, the difference between the claim and Wygodny et al. is the target application is an appliance and the interface is an operation panel of the appliance. Halviatti et al. shows the target application is an appliance and the interface is an operation panel of the appliance (column 8, lines 62-67 and column 9, lines 1-30). It would have been obvious to one of ordinary skill in the art, having the teachings of Wygodny et al. before him at the time the invention was made to modify communicating device taught by Wygodny et al. to include the appliance and operation panel of Halviatti et al., because of providing for events specific to that application as taught by Halviatti et al.

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Conclusion

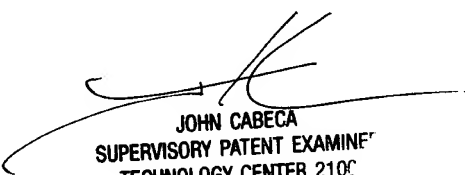
Any inquiry concerning this communications or earlier communications from the examiner should be directed to examiner Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday to Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at the number (703) 308-3116. The fax number for this group is (703) 308-9051.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

Mylinh Tran

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